



IFW

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q85257

Imao MIKOSHIBA, et al.

Appln. No.: 10/519,102

Group Art Unit: 1646

Confirmation No.: 9490

Examiner: NOT YET ASSIGNED

Filed: December 27, 2004

For: DRUG COMPOSITION FOR BLOOD SUGAR CONTROL

**SECOND REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

**ATTN:** Office of Initial Patent Examination

Filing Receipt Correction

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

We enclose a copy of the Official Filing Receipt for the above-identified application and request the following correction:

**Applicants**

Hisao Suzuki, ~~Nafgano~~ Nagano, JAPAN

**Assignment for Published Patent Application**

Kissei Pharmaceutical Co., Ltd.

Verification for the requested correction is indicated on the enclosed copy of the original Declaration and Assignment filed December 27, 2004.

Respectfully submitted,

*Peter D. Olexy*  
Reg. No. 40,644

Peter D. Olexy

Registration No. 24,513

SUGHRUE MION, PLLC

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WASHINGTON OFFICE

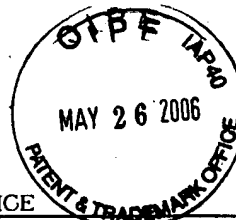
**23373**

CUSTOMER NUMBER

Date: May 26, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/519,102	12/27/2004	1646	1000	Q85257		22	3

CONFIRMATION NO. 9490

23373  
 SUGHRUE MION, PLLC  
 2100 PENNSYLVANIA AVENUE, N.W.  
 SUITE 800  
 WASHINGTON, DC 20037

## FILING RECEIPT



\*OC000000016490222\*

Date Mailed: 08/02/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Imao Mikoshiba, Tokyo, JAPAN;  
 Hisao Suzuki, Nagano, JAPAN;  
 Yuji Kiyono, Tokyo, JAPAN;

Nagano

Assignment for Published Patent Application

Kissei Pharmaceutical Co., Ltd.

Power of Attorney: The patent practitioners associated with Customer Number 23373.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/08083 06/26/2003

## Foreign Applications

JAPAN 2002-189556 06/28/2002

Projected Publication Date: To Be Determined - pending completion of Security Review

Non-Publication Request: No

Early Publication Request: No

## Title

Drug composition for blood sugar control

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION (37 C.F.R. 1.63)

## 特許出願宣言書および委任状(37 C.F.R. 1.63)

### Japanese Language Declaration

私は以下の通り宣言します

各発明者の住所、郵送先、および国籍は下記氏名の後に記載された通りです。

下記名称の発明に関し請求範囲に記載され特許出願がされている発明内容につき、下記に記載された発明者が本発明の最初の発明者であると信じます。

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☐ 上記発明の明細書は本書に添付されます。

または

☐ 上記発明は米国出願番号あるいはPCT国際出願番号(確認番号)として\_\_\_\_年\_\_月\_\_日に提出され、\_\_\_\_年\_\_月\_\_日に補正されました(該当する場合)。

私は補正が上に明示された場合は補正された特許請求範囲を含む明細書の内容を検討し、理解していることをここに表明します。

私は一部継続出願の場合先行出願の出願日から一部継続出願の国内あるいはPCT国際出願日までの期間中に入手された重要な情報を含み、37 C.F.R. 1.56に定義される特許性に肝要な情報について開示義務があることを認めます。

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DRUG COMPOSITION FOR BLOOD SUGAR CONTROL

☒ the specification of which is attached hereto

OR

☐ was filed on \_\_\_\_\_ as United States Application Number or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56 including for continuation-in-part application(s), material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Japanese Language Declaration

私は35 U.S.C. 119(a)-(d) あるいは (f), または365(b)に基づき特許、発明者、あるいは植物育種家証書の下記外国出願、または365(a)に基づきアメリカ合衆国以外の少なくとも1ヶ国を指定した下記PCT国際出願についての外国優先権特許をここに主張するとともに、下記項目にX印を付けることにより優先権を主張する出願以前の出願日を有する特許、発明者、あるいは植物育種家証書の外国出願またはPCT国際出願を示します。

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)  
先行外国出願番号

Priority Claimed?  
優先権の主張?

Yes No  
有り無し  
☒ ☐

2000-189556

JP

(Application Number)  
(出願番号)

(Country)  
(国名)

June 28, 2002

(Filing Date)  
(出願日)

(Application Number)  
(出願番号)

(Country)  
(国名)

(Filing Date)  
(出願日)

私は35 U.S.C. 119(e)に基づき下記の本国仮特許出願の国内優先権をここに主張します。

I hereby claim domestic priority under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

(Application Number)  
(出願番号)

(Filing Date)  
(出願日)

(Application Number)  
(出願番号)

(Filing Date)  
(出願日)

私は35 U.S.C. 120に基づき下記本特許出願、あるいは365(c)に基づき米国を指定する下記PCT国際出願の利益をここに主張し、本特許出願内特許請求範囲の各項目の内容が35 U.S.C. 113の最初の項に規定される方法により先行米国あるいはPCT国際特許出願で開示されていない限りにおいて37 C.F.R. 1.56に定義される本出願の特許性に肝要で、先行特許出願の出願日から本特許出願の国内あるいはPCT国際出願日までの期間中に入手された情報について開示義務があることを認めます。

I hereby claim benefit under 35 U.S.C. 120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge my duty to disclose any information material to the patentability of this application as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. or International Application Number(s)  
先行米国あるいは国際出願番号

(Application Number)  
(出願番号)

(Filing Date)  
(出願日)

(Status: patented, pending, abandoned)  
(状態: 特許成立済、係属中、放棄済)

(Application Number)  
(出願番号)

(Filing Date)  
(出願日)

(Status: patented, pending, abandoned)  
(状態: 特許成立済、係属中、放棄済)

私は本宣誓書内で私の身の知識に基づいてなされたすべての陳述が真実であり、情報おとひ偽るところに基づいてなされたすべての陳述が真実であると信じられていることをここに宣言し、さらに故意になされた虚偽の陳述等は18 U.S.C. 1001に基づき罰金あるいは拘禁または両方による処罰にあたり、またかような故意による虚偽の陳述はそれに基づく特許出願あるいは成立特許の有効性を危うくする可能性があることを認識した上でこれらの陳述をしたことを宣言します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## Japanese Language Declaration

委任状: 私は下記の米国特許商標局 (USPTO) 顧客番号のもとに記載される SUGHRUE MION 法律事務所すべての弁護士を、同顧客番号のもとに記載される個々の弁護士は Sughrue Mion 法律事務所のみ自由裁量に基づき変更され得ることを認識した上で、本特許出願の遂行する弁護士として指名し、本特許出願に関するすべての通信が同 USPTO 顧客番号のもとに提出された住所宛に送付されることを要請します。

POWER OF ATTORNEY: I hereby appoint all attorneys of SUGHRUE MION, PLLC who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

## STATEMENT OF ACCURATE TRANSLATION IN ACCORDANCE WITH 37 C.F.R. §1.69(b):

The declaration and power of attorney is an accurate translation of the corresponding English language declaration and power of attorney.

Signature

Date

04/09/2004

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

電話連絡は下記へ

SUGHRUE MION, PLLC  
(202) 293-7060

Direct Telephone Calls to:

SUGHRUE MION, PLLC  
(202) 293-7060

NAME OF SOLE OR FIRST INVENTOR:			
唯一あるいは第一の発明者名			
Given Name (first and middle (if any)) 姓 (名およびミドルネーム [該当する場合])		Family Name or Surname 姓	
Imao		MIKOSHIBA	
Inventor's signature 発明者の署名		Date 日付	
Imao Mikoshiba		December 21, 2004	
Residence: 住所:		Citizenship 国籍	
c/o Tokyo Head Office, Kissei Pharmaceutical Co., Ltd., 3-1-3, Koishikawa, Bunkyo-ku, Tokyo 112-0002 Japan		Japan	
Mailing Address: 郵送先:			
c/o Tokyo Head Office, Kissei Pharmaceutical Co., Ltd., 3-1-3, Koishikawa, Bunkyo-ku, Tokyo 112-0002 Japan			
NAME OF SECOND INVENTOR:			
第二の発明者名:			
Given Name (first and middle (if any)) 姓 (名およびミドルネーム [該当する場合])		Family Name or Surname 姓	
Hisao		SUZUKI	
Inventor's signature 発明者の署名		Date 日付	
Hisao Suzuki		12/19/2004	
Residence: 住所:		Citizenship 国籍	
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(Page 3 of 4)

BEST AVAILABLE COPY

NAME OF THIRD INVENTOR:

第三の発明者名:

Given Name (first and middle (if any))

名 (なおよびミドルネーム[該当する場合]) Yuji

Family Name or Surname

姓

KIYONO

Inventor's signature

発明者の署名

Yuji Kiyono

Date

日付

December 21, 2004

Residence:

住所:

c/o Tokyo Head Office, Kissei Pharmaceutical Co., Ltd., 3-1-3, Koishikawa, Bunkyo-ku,

Tokyo, Japan

Citizenship

国籍

Japan

Mailing Address:

郵便先:

c/o Tokyo Head Office, Kissei Pharmaceutical Co., Ltd., 3-1-3, Koishikawa, Bunkyo-ku, Tokyo 112-0002 Japan

Docket No. Q85257  
For Non-U.S. Clients

## Assignment

Whereas, I/We, MIKOSHIBA, Imao, SUZUKI, Hisao, KIYONO, Yuji of Tokyo, Japan, Nagano, Japan and Tokyo, Japan, respectively, hereinafter called assignor(s), have invented certain improvements in DRUG COMPOSITION FOR BLOOD SUGAR CONTROL and executed an application for Letters Patent of the United States of America therefor on \_\_\_\_\_; and

Whereas, Kissei Pharmaceutical Co., Ltd., 19-48, Yashino, Matsumoto-shi, Nagano 399-3710 Japan (assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States patents to be obtained therefor;

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

I/We, the above named assignor(s), hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America, including the right to claim priority under 35 U.S.C. §119, and I/we request the Director of the U.S. Patent and Trademark Office to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and I/we will execute without further consideration all papers deemed necessary by the assignee in connection with the United States application when called upon to do so by the assignee.

I/We hereby authorize and request our attorneys SEGHURUE MION, PLLC of 2100 Pennsylvania Avenue, NW, Washington, DC 20037-3221 to insert here in parentheses (Application number \_\_\_\_\_ and Confirmation number \_\_\_\_\_, filed \_\_\_\_\_) the application number and filing date of said application when known.

Date: December 21, 2004 Imao Mikoshiba  
s/MIKOSHIBA, Imao

Date: 12/19/2004 Hisao Suzuki  
s/SUZUKI, Hisao

Date: December 21, 2004 Yuji Kiyono  
s/KIYONO, Yuji

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. §261)

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